

HISTORIC AREA COMMISSION
New Castle Town Hall
2nd and Delaware Streets
June 16, 2011

Present: Sally Monigle, Chairperson
Doug Heckrotte
Dorsey Fiske
Bill Hentkowski
Tom McDowell

Ms. Monigle called the meeting to order at 5:10 p.m. Roll call followed.

OLD APPLICATIONS

R. Marini – 101 W. 3rd Street

Final details for C.O.

Discussion: Ms. Marini again requested that Ms. Fiske recuse herself from judgment on this property. She respects her volunteerism with HAC but for the reasons stated at the last meeting (noting her friendship with Mr. Wheeler and Ms. Kyle) and her feelings that she believes she has a personal interest in stopping construction of her home. Ms. Fiske talked to Mr. Losco, City Solicitor, who informed there was no reason for Ms. Fiske to recuse herself. She does not let her friendships influence her decisions on boards on which she sits. She explained why she visited the property in her capacity as a Trustee because the Trustees had made it clear to Mr. Freebery that the parking lot was not to be used for construction of her home. The parking lot is administered by the Trustees which she said is not a public parking lot.

Mr. Jay Freebery, builder, informed the issue involving the sills has been resolved at the May meeting. *(Mr. Heckrotte was not able to attend the May meeting but Ms. Monigle noted that Mr. Heckrotte is up to date on all matters.)* There are two outstanding issues. *(Mr. McDowell called for a brief executive session [15 mins.]).* Mr. Freebery said Mr. Breck submitted a more detailed sketch of the dormer. The sketch provides enough detail for all parties to understand. Mr. Freebery feels the sketch is sufficient. Mr. Heckrotte said the new sketch is adequate and addresses the dormer issue the best it can with what is there. Mr. Hentkowski is not sure if the sketch matches what is already on the structure citing trim work. Mr. Freebery addressed the concern.

Action: Mr. Heckrotte made a motion to vote on the application as submitted for the dormer. Mr. McDowell seconded the motion.

Disposition: The motion was approved.

The second outstanding issue involves the window alignment over the door. Mr. Freebery is willing to move the window over the door making it center over the door.

Action: Mr. Heckrotte made a motion to vote on the solution that the window above the door will be moved so that the window and door share a center line. Mr. Hentkowski seconded the motion.

Disposition: The motion was approved.

This body has been asked to declare that Mrs. Marini will receive her Historic Compliance Certificate when the work is performed.

Action: Mr. Heckrotte made a motion that the Historic Area Commission will issue the Certificate of Historic Compliance when the work is done (dormer and window) and brought up to this body's requirements. Mr. McDowell seconded the motion.

Mr. Bayard Marin asked for the floor. Mr. Marin is counsel for Ms. Kathryn Klyce. He said he wrote a letter dated 3/16/11 to HAC and other City officials (Board of Adjustment, City Solicitor, City Council, and the Mayor) pointing out the building with an engineer's certificate attached to the letter the building is nine inches higher than what was approved at the 5/22/09 & 4/30/09 hearings. The City Solicitor wrote to Mr. John Tracey dated 3/24/11, counsel for Mrs. Marini, requesting a response. No response has been received to date. This case is pending before the Court of Chancery. They must be in total compliance for the certificate to be granted. A Certificate of Occupancy (C.O.) also should not be granted until full compliance is determined. He added that a response to the City Solicitor's March 2011 letter should also be received before a C.O. is granted.

Mr. Marin stated that the City Solicitor informed him today (6/16/11) that instructions would be provided to this body that this matter should not be voted on tonight. These instructions would be conveyed to Mr. Bergstrom for this meeting. Mr. Heckrotte stated that no communications were received from Solicitor Losco or Mr. Bergstrom concerning Mr. Marin's statement. He believes that compliance with elevations is a matter for the City Building Inspector and is not in the purview of this body. He has been assured is where it belongs and that HAC should vote on the matter before us tonight.

According to Mr. Heckrotte, when the Building Inspector gets this body's Historic Compliance with HAC's requirements he then issues a Certificate of Occupancy. Mr. Marin questioned how a certificate of compliance can be issued when HAC is refusing to hear about the building not being in compliance. Mr. Heckrotte again stated the height issue is not a matter for this body. Mr. Marin argued that HAC can't grant compliance when the height issue has been brought before HAC and it refuses to hear it. Mr. Heckrotte said it is not HAC's responsibility to measure the structure to ensure building codes have been met.

Ms. Monigle informed HAC will perform the work within its purview. Mr. Marin suggested HAC get an opinion before acting on this matter.

Disposition: Roll call vote.

Mr. Hentkowski – voted to approve motion on the floor.

Mr. Heckrotte – voted to approve motion on the floor.

Ms. Monigle – voted to approve motion on the floor.

Ms. Fiske – abstained on the grounds the City Solicitor is not present to give his opinion.

Mr. McDowell – voted to approve motion on the floor.

Ms. Monigle thanked Mr. Marin but reiterated HAC must complete its role in the process of getting the house ready for occupancy. *(Discussion about the process involved with granting a Certificate of Historic Compliance followed.)*

K. Wipf – 221 Harmony Street

Returning with details of shed.

Discussion: Several suggestions were made during her last visit to HAC that she has incorporated. She has removed the dormer and cupola. She is changing the door from an arch door to a square door. It will be all wood and the roof will be cedar shingles. The shed will be 10'X10' and is approximately 5 feet from the back of the property line.

Disposition: Mr. Heckrotte made a motion vote on the application as submitted. Mr. McDowell seconded the motion.

Action: The motion was approved.

NEW APPLICATIONS

J. Baker – 145 E. 2nd Street

Brick pointing and repair of front steps.

Action: A motion was made by Mr. Heckrotte to vote on the application as submitted. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

V. Coxe – 17 E. 2nd Street

Replace 2nd floor A/C condenser on rear roof and air handler in attic.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. McDowell seconded the motion.

Disposition: The motion was approved.

L. Fontana – 46 E. 4th Street

Replace wood siding on corner of house. Replace downspouts. Concrete work on side porch. Replace sidewalk and grade away from house.

Discussion: The work was explained in detail. They will return with plans for the porch.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. HAC would like to see that the side porch work is replaced with a brick topped step rather than concrete porch, repair the brick sidewalk in front, and replace downspouts with round and smooth downspouts according to the litany. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

D. Majewski – 16 W. 5th Street

Repair/replace all 4 exterior walls, front and rear windows and front door, front gutter and down spouts, front dormer and windows, all windows on north and south side of house, front walkway and entrance steps and recoat roof.

Discussion: There is a mold and moisture problem with this house. Mr. McDowell wants the applicant to appear in person to explain in more detail what is being replaced and with what.

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that the building owner present to HAC fully what he is doing with each item and take note that HAC will want all litany requirements met, we wish to have better understanding the window repair or replacement (HAC is in favor of repair over replacement), and we want to know what he is going to do with the front walkway and steps. Mr. Hentkowski seconded the motion. *If the owner wants to provide information in between meetings that is acceptable. It is HAC's desire to work with the owner.

Disposition: The motion was approved.

L. Workman – 21 W. 3rd Street

Renovation of existing patio & walkway. Additional patio area approx. 12' X 12', all per plans attached.

Discussion: The contractor appeared. A fence from the HAC-approved list has been selected. A small portion of paving will be put in that is made from Pennsylvania blue stone with some brick accents in it.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. McDowell seconded the motion.

Disposition: The motion was approved.

J. Moore – 179 E. 4th Street

Curb and sidewalk repair.

Discussion: This application was reviewed and approved at the May meeting.

The Arts Center – 304 Delaware Street

Installing wood sign on existing brackets 30"X36".

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the requirement that the new sign be the same size as the two existing signs on the right side of the building and not the size of the sign at the center of the building. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

E. Betz – 13 The Strand

Repairing main roof (metal) and adding 1 metal roof in middle section.

Discussion: Photos and a description of the work being requested were presented to HAC. Although not shown on the application they will be putting in a downspout.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Ms. Fiske seconded the motion. *It was further noted the new roof should match the lower roof.

Disposition: The motion was approved.

T. Wilson – 230 E. 2nd Street

1. Replace wood on dormers (2) sides, 1 front.

2. Form and pour concrete slab in alleyway for drainage.

Discussion: Photos were provided. Regarding the dormers he is replacing in kind. He would like to use cedar lap board rather than German siding. He plans to replace the asbestos shingles with lap board at some point (not on this application).

Concerning the alleyway, he does not want to use brick because of drainage issues (neighbor does not have gutters) that causes wash outs. He will replace all the damaged concrete on the neighbor's side and repair the sidewalk area. He would entertain putting in a common gate at the front of the alley. He explained how the work will be done. Mr. Heckrotte noted that HAC does not normally approve concrete paving; they prefer brick. It was suggested something other than solid concrete be used.

Action: Dormers -- Mr. Heckrotte made a motion to vote on the application as submitted with the understanding that cedar lap siding be used and suggesting he hold the siding away from the roof shingle. He may want to reflash while doing the work. Mr. McDowell seconded the motion.

Disposition: The motion was approved.

Action: Alleyway (Concrete Slab in both alleyways) – Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that a solid wood gate will be installed at the front. Ms. Fiske seconded the motion. *Mr. Wilson will submit plans for the gate at a later date.

Disposition: The motion was approved by a vote of 4 in favor and 1 against (Hentkowski). Mr. Hentkowski would like brick to be used and believes there are other remedies to the use under the brick to help with wash out. Mr. Heckrotte agreed with Mr. Hentkowski's rationale but voted to approve.

K. Wade – 137 E. 3rd Street

Expand deck from 15'X6' to 20'X10'.

Discussion: Mr. Wade explained his plans to expand the existing deck in two directions. It will be wider and deeper but the height will remain the same. There will be three risers. He provided distances to property lines and fence. They plan on replacing the current wood privacy screen with a similar screen

using solid wood boarding. Decking material – pressure treated lumber; will be stained (transparent stained with opaque stain) according to the litany. The old deck will be torn down.

The deck side rail will be replaced in kind.

Action: Mr. McDowell made a motion to accept the application as presented. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

S. Keyser – 215 E. 2nd Street

Replace deck side rail in kind.

Action: Mr. Heckrotte made a motion to vote on the application as submitted.

Mr. McDowell seconded the motion.

Disposition: The motion was approved.

EMERGENCY REPAIRS

S. Denton – 209 E. 2nd Street

Tear off roof and install new flat rubber roof.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

N. Carroll – 26 W. 3rd Street

Replace front door. Bottom half rotten and leaking.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

A. Cronin – 123 Delaware Street

Replace bilco door, repair front door, rear roof on addition, windows. Replace gutters and drip edge.

Remove back bedroom windows and install door and small deck to back yard.

Discussion: This matter was addressed at the May meeting.

E. Doering – 414 Delaware Street

Replace shingles on main part of roof.

Action: Mr. Heckrotte made a motion to vote on the application as submitted with the proviso that the litany be followed which says weathered wood blend. Mr. McDowell seconded the motion.

Disposition: The motion was approved.

T. Cycle, 5 Shaw Alley

Replace roof.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Mr. McDowell seconded the motion.

Disposition: The motion was approved.

T. Geraghty – 46 W. 4th Street

Replace existing condensing unit in same location.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

J. Symanski – 213 E. 2nd Street

Replace existing condensing unit.

Discussion: Ms. Monigle approved this application ahead of time.

Action: Mr. Heckrotte made a motion to approve the application as submitted.

Disposition: The motion was approved.

J. Hubert – 217 Harmony Street

Replace porch roof, gutters and down spouts. Remove two sheets of existing roofing in kind. Apply roof coating over top roof and first level front porch roof.

Action: Mr. McDowell made a motion to accept the application as submitted with the proviso that the downspouts be replaced with smooth, round downspouts and the gutters be half round.

Mr. Heckrotte seconded the motion.

Disposition: The motion was approved.

R. Rudd – 114 E. 4th Street

Remove and replace flat roof.

Action: Mr. Heckrotte made a motion to vote on the application as submitted. Ms. Fiske seconded the motion.

Disposition: The motion was approved.

Minutes

April 2011 minutes – A motion was made by Mr. McDowell to approve the April minutes.

Mr. Heckrotte seconded the motion. The minutes were approved.

May 2011 minutes – A motion was made by Mr. McDowell to approve the May minutes as presented.

Ms. Fiske seconded the motion. The May minutes were approved.

Old Business

125 Delaware Street – This matter involves muntins and a cellar window has been raised several times and is still unresolved and needs to be brought to the Building Inspector's attention.

New Business

4th and Harmony Streets – There are two new casement windows where old, good windows existed.

This is on the yard side of the house. This window replacement work has not come before HAC.

Mrs. Cleveland's property that is being renovated as a museum there are roll lock sills and a heating equipment vent pipe into the cobblestone alley. Mr. Bergstrom will be requested to look into this matter.

Adjournment -- There being no further business to address, a motion to adjourn the meeting was made and seconded. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Debbie Turner

Debbie Turner
Stenographer

(Minutes transcribed from recording; stenographer not present at meeting.)